

SENATE BILL SUMMARY

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

SB 910
Criminal Justice
Ex-offenders/Restrictions on Licensing and Employment
Criminal History Records
by Senator Wilson

Provides legislative intent to make opportunities for employment available to ex-offenders so that they will be less likely to revert to criminal behavior, as long as their employment does not detract from the safety of the public.

Requires state agencies and regulatory boards, by December 31, 2010, and every 8 years thereafter, to submit reports to the Governor and the legislative officers. Such reports must identify and evaluate restrictions on the licensing and employment of ex-offenders and alternatives to the disqualifying policies.

Prohibits state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights. Provides that the prohibition does not apply to applications for a license to carry a concealed weapon or firearm.

Clarifies under what circumstances a person may legally deny the existence of an expunged criminal history record. Authorizes the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the subject of the record.

Requires each website for the office of a clerk of court to include information relating to procedures to seal or expunge criminal history records.

Authorizes a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged if that person obtains a certificate from the Department of Law Enforcement (FDLE). Allows the FDLE to issue the certificate only if that person has not been arrested during the 5-year period following the date of the court order for the initial expunction or sealing.

Requires the Office of Program Policy Analysis and Government Accountability to conduct a study and prepare a report of its finding relating to the use of criminal history records in licensing and employment decisions. (See bill for details)